tion of symptoms of Round Worms, use 'White's Cream Vermifuge'." The statements were misleading since they represented and implied that the symptoms mentioned are characteristic of roundworm infestation, whereas they are not characteristic of roundworm infestation.

On December 13, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1405. Misbranding of Aditis. U. S. v. 13 Bottles of Aditis. Default decree of destruction. (F. D. C. No. 13003. Sample No. 2557–F.)

On or about July 26, 1944, the United States attorney for the Western District of Missouri filed a libel against 13 bottles, each containing 100 capsules, of Aditis at Kansas City, Mo., alleging that the article had been shipped on or about July 15, 1942, from Masontown, Pa., by Jones-Hague, Inc.

Examination showed that each capsule of the article contained approximately 1 grain of thyroid and 1/10 grain of barium iodide.

The article was alleged to be misbranded in that it contained thyroid and barium iodide in amounts which may have rendered it dangerous to health when used in the dosage and with the frequency and duration prescribed, recommended, and suggested in its labeling, namely, "One to three capsules daily."

On October 20, 1944, no claimant having appeared, judgment was entered ordering that the product be destroyed.

1406. Misbranding of Prostin, Amazine, and Polyvalent P. E. U. S. v. 4 Vials of Prostin, 4 Vials of Amazine, and 3 Vials of Polyvalent P. E. Default decree of condemnation and destruction. (F. D. C. No. 13018. Sample Nos. 53744–F, 53746–F, 53747–F.)

On July 24, 1944, the United States attorney for the Southern District of California filed a libel against the above-mentioned articles at Los Angeles, Calif., alleging that they had been shipped on or about January 17 and March 29, 1944, from New York, N. Y., by the Lipoidal Laboratories.

The articles were alleged to be misbranded in that they were dangerous to health when used in the dosage and with the frequency and duration prescribed, recommended, and suggested in their labeling, quoted below, since they were for parenteral use and were not sterile but were contaminated with living microorganisms: (Prostin) "Technique for Administration of Prostin * * * Start with 1 cc. and repeat the dose every second day until all manifestations of prostatic disorders disappear. * * * Use an all glass syringe with a short sharp needle for administration. Sterilize by boiling"; (Amazine and Polyvalent P. E.) "Technique for Administration * * * Place ampoule in hot, not boiling, water, for five minutes. Use an all glass syringe, short sharp needle. Sterilize by boiling. * * * Use deltoid or gluteal areas for intramuscular injections. Give injections at body temperature. * * * Start with 6 minims and increase dose by 4 minims every other day until tolerance, which is indicated by slight rise in temperature followed by chill. Continue treatment until all symptoms disappear (4 to 6 weeks) * * * Dose for infants and children: Start with 2 minims and gradually increase until tolerance."

On August 24, 1944, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS*

1407. Adulteration and misbranding of blue ointment and Cheri Hance Syrup and misbranding of Hance Compressed Tablets of Triple Bromides. U. S. v. Hance Bros. & White Co. Plea of nolo contendere. Fine, $50. (F. D. C. No. 12575. Sample Nos. 50470–F, 50545–F, 50548–F.)

On December 20, 1944, the United States attorney for the Eastern District of Pennsylvania filed an information against the Hance Bros. & White Co., a partnership, Philadelphia, Pa., alleging shipment of the above-named products from the State of Pennsylvania into the State of New Jersey between the approximate dates of September 20 and October 6, 1943.

The blue ointment was alleged to be adulterated in that it purported to be and was represented as a drug recognized in the United States Pharmacopoeia, an official compendium, under the names "Blue Ointment" and "Mild Mercurial Ointment," but its strength differed from and its quality fell below the official standard, since that compendium provides that the article shall contain not less than 9 percent of mercury, whereas it contained mercury in amounts varying from

*See also No. 1402.

6.06 percent to 7.68 percent, and its difference in strength and quality from the standard was not plainly stated, or stated at all, on its label. The article was alleged to be misbranded in that the label statement, "Blue Ointment * * * U. S. P.," was false and misleading.

The Cheri Hance Sirup was alleged to be adulterated in that its strength differed from and its quality fell below that which it purported and was represented to possess, since it purported and was represented to contain 8 grains of ammonium chloride per fluid ounce, whereas it contained not more than 5.88 grains of ammonium chloride per fluid ounce. It was alleged to be misbranded in that the label statement, "Each Fluid Ounce Contains: * * * Ammonium Chloride . . . 8 grs.," was false and misleading.

The Hance Compressed Tablets of Triple Bromides were alleged to be misbranded in that the labeling bore no directions for use.

On January 5, 1945, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $50.

1408. Misbranding of Emerson's Famous Medicine. U. S. v. 177 Bottles of Emerson's Famous Medicine. Default decree of condemnation and destruction. (F. D. C. No. 12708. Sample No. 73335-F.)

On June 19, 1944, the United States attorney for the Northern District of California filed a libel against 177 bottles of Emerson's Famous Medicine at Oakland, Calif., alleging that the article had been shipped from Kansas City, Mo., on or about February 17 and April 15, 1944, by the Emerson Medicine Co.

The labeling of the article included a circular contained in the cartons and entitled "Emerson's Famous Medicine," a card entitled "You'll Be Surprised," and a circular entitled "Your Horoscope," which latter contained the following statements, among other things: "Note the Medicinal Values given to the Roots, Barks and Herbs used in Emerson's Famous Medicine. Honduras Sarsaparilla, U. S. P.—Alterative, Depurative (Purifying the Blood), Cleansing. Yellow Dock, N. F.—Depurative (Purifying the Blood) Cleansing, Anti-Scorbutic. Prickly Ash Bark, N. F.—Alterative Tonic. * * * Burdock, N. F.—Diuretic. Stillingia, N. F.—Diuretic, Resolvent. Dandelion, N. F.—Hepatic, Stimulant Tonic. Poke Root, N. F.—Alterative. Mandrake, U. S. P.—* * * Hepatic, Emmenagogue. Liverwort Leaves—Demulcent, Pectoral."

Examination of a sample disclosed that the article contained, per tablespoonful, 2.66 grains of sodium salicylate, 0.27 grain of potassium iodide, and small proportions of extracts of plant drugs, including a laxative drug such as aloe. Water constituted approximately 96.8 percent of the preparation.

The article was alleged to be misbranded in that certain statements in the labeling and in the accompanying circulars were false and misleading in that they represented and suggested that the article was a harmless prescription for the treatment of muscular aches and pains, inorganic, rheumatic, and neuralgic aches and pains, indigestion, a tired, run-down feeling, constipation, bad breath, biliousness, sick headache, rheumatism, pimples and blotches, gas on the stomach, acid stomach, nervousness, sleeplessness, liver trouble, sciatica, and neuritis; and that the roots, barks, and herbs contained in the article possessed the medicinal properties ascribed to them. The article was not a harmless prescription; it would not be efficacious in the treatment of the conditions named; and the roots, barks, and herbs mentioned did not possess the medicinal properties ascribed to them, or they were present in the preparation in such small proportions as to be negligible.

The article was alleged to be misbranded further in that the statement on the carton and bottle labels, "Contains Honduras sarsaparilla, yellow dock, burdock, prickly ash bark, * * * liverwort leaves, * * * stillingia, dandelion, gentian root, * * * potassium iodide," was misleading in that it implied that the ingredients named were therapeutically active constituents of the article, and that they contributed to its medicinal effects, whereas they were not therapeutically active constituents and did not contribute to the medicinal effects of the article. It was alleged to be misbranded further in that its labeling failed to bear adequate warnings, since the warning in the labeling against use "in cases of severe abdominal pains, vomiting, nausea or other symptoms of appendicitis" did not serve to warn against use when there was *any* pain, vomiting, nausea, or other symptoms of appendicitis; and since there was no warning to the effect that frequent or continued use of the article, which was essentially a laxative, might result in dependence upon laxatives to move the bowels.

On August 22, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.